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10/768,658

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EXAMINER

HOSSAIN, FARZANA E

ART UNIT

PAPER NUMBER

2424

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/768,658	Applicant(s) NAM ET AL.	
	Examiner FARZANA E. HOSSAIN	Art Unit 2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/2/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Office Action

Response to Amendment

1. This office action is in response to communications filed 09/29/2008. Claims 1-20 are pending. Claims 1, 6, 13 and 18 are amended. Claim 2, 3, 5-20 are original. Claim 4 has been previously presented.

Response to Arguments

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claim 6, the applicant argues that the Zylka does not disclose or suggest a television comprising at least a searching unit which searches for multimedia content from among the various content in the storing unit and stores the multimedia content in a database according to types of the multimedia content (Page 7). The applicant also states that the examiner pointed to paragraph 0049 and Figure 1 (Page 8). The applicant argues that the Examiner is inconsistent because paragraph 49 relates to a gateway system which figure 2 versus Figure 1 which is the television (Page 8). The applicant argues that Zylka does not teach or suggest wherein a predetermined program to be executed for a file selected by a user based on a classified result is selected and the file is displayed by executing the predetermined program (Page 8).

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The applicant argues independent claims 1, 13, and 18 are patentable for similar reasons to claim 6 (Page 8). The applicant argues dependent claims are patentable for dependency to claims 1, 6, 13 and 18 (Page 9). The applicant last argues that Sakata does not disclose searching (Page 9).

In response to the argument, the examiner did not point to paragraph 0049. The examiner point to paragraph 0038 which clearly states that the set top box can be a gateway and vice versa (Page 4, paragraph 0038). The gateway searches multimedia content in a storing unit and therefore, there must be a searching unit (Page 5, paragraph 0051). Therefore, Zylka discloses the gateway, which searches for multimedia content from among the various content in the storing unit and stores the multimedia content in a database according to types of the multimedia content (Figure 2, 311, Page 5, paragraph 0051). Also, Zylka discloses metadata is used to catalog the multimedia content (Page 5, paragraphs 0049-0050). The examiner also stated that Claim 6 requires a television to include these components. Zylka discloses a TV and a settop box. Sie discloses that the STT can be integrated into the television. Zylka discloses wherein a predetermined program to be executed for a file selected by a user based on a classified result is selected and the file is displayed by executing the predetermined program (Page 3, paragraph 0033, Page 2, paragraphs 0016, 0018, Page 5, paragraph 0052, Page 1, paragraph 0014). Zylka clearly discloses a predetermined execution program displays the selected file as corresponding applications to user command performs features (Pages 1-2, paragraphs 0014-0016). The examiner did not reject using Sakata searching as the applicant argues.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 4, 13, 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Zylka (U.S. 2003/0068154).

Regarding Claims 1 and 13, Zylka discloses an apparatus for searching multimedia content on a television (Figure 1, 200, Figure 2, 300, 307), the apparatus comprising:

a content searching unit which searches for multimedia content files from all media connected to the television or the gateway searches content in the content storage medium (Page 5, paragraph 0051), a classifying unit, which classifies the multimedia content files into types (Page 5, paragraph 0049, Page 4, paragraph 0043) and a content database, which stores the multimedia content files by types (Page 4, paragraph 0043, Page 5, paragraphs 0049, 0053);

wherein a predetermined program to be executed for a file selected by a user based on a classified result is selected and the file is displayed by executing the

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predetermined program (Page 3, paragraph 0033, Pages 1-2, paragraphs 0014-0016, 0018, Page 5, paragraph 0052).

Regarding Claim 18, Zylka discloses a method of searching and executing multimedia content files on a television (Page 3, paragraph 0033, Page 2, paragraphs 0016, 0018, Page 5, paragraphs 0051-0053), the method comprising:

searching for multimedia content files from among files stored in media connected with the television when a command is input by a user (Page 5, paragraphs 0051, 0049, Page 1, paragraph 0014), classifying the multimedia content files by types (Page 5, paragraph 0049), and displaying information related to the classified results (Page 5, paragraph 0049, Page 2, paragraph 0016); selecting a predetermined program to be executed for a file selected by a user based on a classified result is selected and the file is displayed by executing the predetermined program (Page 3, paragraph 0033, Pages 1-2, paragraphs 0014-0016, 0018, Page 5, paragraph 0052).

Regarding Claim 4, Zylka discloses all the limitations of Claim 1. Zylka discloses content database stores the multimedia contents files along with additional information related to the multimedia content files (Page 5, paragraph 0049, Page 4, paragraph 0043).

Regarding Claim 17, Zylka and Sie disclose all the limitations of Claim 13. Zylka discloses a content searching unit which searches for multimedia content files from all

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media connected to the television (Page 4, paragraph 0042, 0039, Page 5, paragraph 0051).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2, 3, 14-16, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zylka in view of Sakata (US 2002/0154337).

Regarding Claims 2, 3, 14 and 19, Zylka discloses all the limitations of Claims 1, 1, 13 and 18 respectively. Zylka discloses that the gateway is able to search for multimedia content using metadata, i.e. file type, which must be known and using the indexed data based on metadata to catalog or classify the multimedia content files by types (Pages 1-2, paragraph 0015, Page 4-5, paragraphs 0043, 0045, 0049). Zylka is silent on checking an extension of a file to determine whether or not the file is a multimedia content file or not or whether the file is one of a moving picture file, a photo, a picture file, a music file and a flash file. Sakata discloses checking an extension of a file to determine whether or not the file is a multimedia content file or not or whether the file is one of a moving picture file, a photo, a picture file, a music file and a flash file (Page 4, paragraphs 0067-0081, Page 6, paragraph 0125). Therefore, it would have

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been obvious to one of ordinary skill in the art at the time the invention was made to modify Zylka to include checking an extension of a file to determine whether or not the file is a multimedia content file or not or whether the file is one of a moving picture file, a photo, a picture file, a music file and a flash file (Page 4, paragraphs 0067-0081, Page 6, paragraph 0125) as taught by Sakata in order to manage image data more efficiently (Page 2, paragraph 0020) as disclosed by Sakata.

Regarding Claim 5, Zylka discloses all the limitations of Claim 1. Zylka discloses the additional information comprises file length or size and the title of the file's multimedia content or a program that is recorded and includes metadata for selection by a user to watch must include a title as the program is identified (Page 4, paragraph 0043, Page 4, paragraph 0049, 0053). Zylka is silent on the additional information including a file name and a recording date of the file of the multimedia content. Sakata discloses additional information including a file name and a recording date of the file multimedia content (Figure 4, Page 4, paragraphs 0067-0081). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zylka to include additional information including a file name and a recording date of the file multimedia content (Figure 4, Page 4, paragraph 0067-0081) as taught by Sakata in order to manage image data more efficiently (Page 2, paragraph 0020) as disclosed by Sakata.

Regarding Claims 15 and 20, Zylka discloses all the limitations of Claims 13 and 19 respectively. Zylka discloses that the gateway is able to search for multimedia content using metadata, i.e. file type, which must be known and using the indexed data

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based on metadata to catalog or classify the multimedia content files by types (Pages 1-2, paragraph 0015, Page 4-5, paragraphs 0043, 0045, 0049). Zylka is silent on checking an extension of a file to determine the type of file. Sakata discloses checking an extension of a file to determine the type of file (Page 4, paragraphs 0067-0081, Page 6, paragraph 0125). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zylka to include checking an extension of a file to determine the type of file (Page 4, paragraphs 0067-0081, Page 6, paragraph 0125) as taught by Sakata in order to manage image data more efficiently (Page 2, paragraph 0020) as disclosed by Sakata.

Regarding Claim 16, Zylka discloses all the limitations of Claims 1 and 13 respectively. Zylka discloses storing of the content files in the database by types is performed by classifying the multimedia content files (Page 5, paragraph 0049, Page 4, paragraph 0043) and storing the multimedia content files together with additional information comprises file length or size and the title of the file's multimedia content or a program that is recorded and includes metadata for selection by a user to watch must include a title as the program is identified (Page 4, paragraph 0043, Page 4, paragraph 0049, 0053). Zylka is silent on the additional information including a file name and a recording date of the file of the multimedia content. Sakata discloses additional information including a file name and a recording date of the file multimedia content (Figure 4, Page 4, paragraphs 0067-0081). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zylka to include additional information including a file name and a recording date of the file

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multimedia content (Figure 4, Page 4, paragraph 0067-0081) as taught by Sakata in order to manage image data more efficiently (Page 2, paragraph 0020) as disclosed by Sakata.

7. Claims 6-8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zylka in view of Sie et al (US 2002/0199188 and hereafter referred to as "Sie").

Regarding Claim 6, Zylka discloses a television (TV) and a set top terminal/personal video recorder (STT/PVR or STT or PVR) or gateway in (Figure 2, 300, Figure 1, Page 4, paragraph 0038) having a function of searching multimedia content (Page 5, paragraph 0051), the STT or gateway comprising:

a storing unit, which stores various content as the content can be stored with the content storage medium or the STT/PVR with the PVR disk (Page 5, paragraph 0053, Figure 1, 106, Page 4, paragraph 0038);

the gateway, which searches for multimedia content from among the various content in the storing unit and stores the multimedia content in a database according to types of the multimedia content (Figure 2, 311, Page 5, paragraph 0051). It is necessarily included that the gateway includes a searching unit as the gateway searches the multimedia content.

The gateway or STT comprises a first decoder (Figure 1, 103), which links a multimedia content file selected by a user to a predetermined execution program for decoding (Page 3, paragraph 0033, Page 2, paragraphs 0016, 0018, Page 5, paragraph 0052); a broadcast stream receiving unit, which receives broadcast stream data (Figure 1, 202); second decoder which de-multiplexes and decodes the broadcast stream data

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from the broadcast stream receiving unit (Figure 1, 202, Page 3, paragraph 0031-0033); and an interactive interfacing unit (Figure 1, 118, Page 2, paragraph 0016, 0017, Page 3, paragraph 0026). Zylka discloses wherein a predetermined program to be executed for a file selected by a user based on a classified result is selected and the file is displayed by executing the predetermined program (Page 3, paragraph 0033, Pages 1-2, paragraphs 0014-0016, 0018, Page 5, paragraph 0052).

Zylka is silent on a television comprising a set top terminal. In analogous art, Sie discloses a set top box or terminal that includes storage for television signals (Figure 7, Page 6, paragraph 0086) and includes a decoder to demultiplex and decode the television signal (Page 6, paragraph 0089). Sie discloses that the STT can be integrated into the television. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zylka to include that the STT could have been integrated in the TV (Page 16, paragraph 0171) as taught by Sie in order to save a person space within the home to include only one device instead of several or to make the house aesthetically pleasing without having bulky wires.

Regarding Claim 7, Zylka and Sie disclose all the limitations of Claim 6. Zylka discloses the storing unit is one of a hard disc drive (HDD) and a memory stick (Page 4, paragraphs 0040, 0042).

Regarding Claim 8, Zylka and Sie disclose all the limitations of Claim 6. Zylka discloses a content searching unit which searches for multimedia content files from all media connected to the television or the gateway searches content in the content storage medium (Page 5, paragraph 0051), a classifying unit, which classifies the

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multimedia content files into types (Page 5, paragraph 0049, Page 4, paragraph 0043) and a content database, which stores the multimedia content files by types (Page 4, paragraph 0043, Page 5, paragraphs 0049, 0053).

Regarding Claim 11, Zylka and Sie disclose all the limitations of Claim 8. Zylka discloses the database stores the multimedia content files by types, together with additional information of the multimedia content files (Page 4, paragraph 0043).

8. Claim 9, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zylka in view of Sie as applied to Claim 8 above, further in view of Sakata (US 2002/0154337).

Regarding Claims 9 and 10, Zylka and Sie disclose all the limitations of Claim 8. Zylka discloses that the gateway is able to search for multimedia content using metadata, i.e. file type, which must be known (Pages 1-2, paragraph 0015, Page 4, paragraph 0043, Page 5, paragraph 0049). Zylka is silent on checking an extension of a file to determine whether or not the file is a multimedia content file or not or whether the file is one of a moving picture file, a photo, a picture file, a music file and a flash file. Sakata discloses checking an extension of a file to determine whether or not the file is a multimedia content file or not or whether the file is one of a moving picture file, a photo, a picture file, a music file and a flash file (Page 4, paragraphs 0067-0081, Page 6, paragraph 0125). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include checking an extension of a file to determine whether or not the file is a multimedia content file or not

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or whether the file is one of a moving picture file, a photo, a picture file, a music file and a flash file (Page 4, paragraphs 0067-0081, Page 6, paragraph 0125) as taught by Sakata in order to manage image data more efficiently (Page 2, paragraph 0020) as disclosed by Sakata.

Regarding Claim 12, Zylka discloses all the limitations of Claim 11. Zylka discloses the additional information comprises file length or size and the title of the file's multimedia content or a program that is recorded and includes metadata for selection by a user to watch must include a title as the program is identified (Page 4, paragraph 0043, Page 4, paragraph 0049, 0053). Zylka and Sie are silent on the additional information including a file name and a recording date of the file of the multimedia content. Sakata discloses additional information including a file name and a recording date of the file multimedia content (Figure 4, Page 4, paragraphs 0067-0081). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include additional information including a file name and a recording date of the file multimedia content (Figure 4, Page 4, paragraph 0067-0081) as taught by Sakata in order to manage image data more efficiently (Page 2, paragraph 0020) as disclosed by Sakata.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA E. HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday to Friday 7:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/
Supervisory Patent Examiner, Art
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FEH
December 31, 2008